



राजपत्र, हिमाचल प्रदेश (प्रसाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 20 सितम्बर, 1986/29 भाद्रपद, 1908

हिमाचल प्रदेश सरकार

विधि विभाग

(विधायी खण्ड)

अधिसूचनाएं

शिमला-2, 20 सितम्बर, 1986

क्रमांक एल० एल०आर० (डी) (6) 18/86-लैजिस.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 200 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के संविधान के अधीन तारीख 17 सितम्बर, 1986 को अनुमोदित हिमाचल प्रदेश एण्टरटेनमेंट ड्यूटी (अमैण्डमेंट) विधेयक, 1986 (1986 का 11)

को वर्ष 1986 के हिमाचल प्रदेश अधिनियम संख्यांक 19 के रूप में हिमाचल प्रदेश राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा,
कुलदीप चन्द सूद,
सचिव (विधि)।

Act No. 19 of 1986.

**THE HIMACHAL PRADESH ENTERTAINMENTS DUTY
(AMENDMENT) ACT, 1986**

(AS ASSENTED TO BY THE GOVERNOR ON 17TH SEPTEMBER, 1986)

AN

ACT

further to amend the Himachal Pradesh Entertainments Duty Act, 1968 (Act No. 12 of 1968).

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-seventh Year of the Republic of India, as follows:—

1. (1) This Act may be called the Himachal Pradesh Entertainments Duty (Amendment) Act, 1986.

Short title
and com-
mencement.

(2) It shall come into force at once.

12 of 1968. 2. In sub-section (2) of section 3 of the Himachal Pradesh Entertainments Duty Act, 1968, for the figure "5,000", the figure "30,000" shall be substituted.

Amendment
of section 3.

क्रमांक एल0एल0आर0 (डी) (6) 17/86-लैगिस.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 200 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के संविधान के अधीन तारीख 17 सितम्बर, 1986 को अनुमोदित हिमाचल प्रदेश कोऑपरेटिव सोसाइटीज (अमैण्डमेंट) विधेयक, 1986 (1986 का 12) को 1986 के हिमाचल प्रदेश अधिनियम संख्यांक 20 के रूप में हिमाचल प्रदेश राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा,
कुलदीप चन्द सूद,
सचिव (विधि)।

Act No. 20 of 1986.

THE HIMACHAL PRADESH CO-OPERATIVE SOCIETIES (AMENDMENT) ACT, 1986

(AS ASSENTED TO BY THE GOVERNOR ON 17TH SEPTEMBER, 1986)

AN

ACT

further to amend the Himachal Pradesh Co-operative Societies Act, 1968 (Act No. 3 of 1969).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-seventh Year of the Republic of India, as follows:—

1. (1) This Act may be called the Himachal Pradesh Co-operative Societies (Amendment) Act, 1986.

Short title and commencement.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint in this behalf.

3 of 1969. 2. In clause (c) of section 20 of the Himachal Pradesh Co-operative Societies Act, 1968 (hereinafter called the principal Act) after the word "nominated" but before the words "by the Government", the words, figures, sign and alphabet "under section 35 or appointed as Managing Director under section 35-B" shall be inserted.

Amendment of section 20.

3. In sub-section (1) of section 35 of the principal Act,—

(i) after the word "nominate" but before the words "not more than three", the signs and words, "having such qualifications and experience and in the manner as may be prescribed," shall be inserted; and

(ii) for the sign ":", occurring at the end of clause (a), the sign "." shall be substituted and existing proviso shall be omitted.

Amendment of section 35.

4. After section 35-A of the principal Act, the following new section 35-B shall be inserted, namely:—

Insertion of section 35-B.

"35-B. *Appointment, powers and functions of Managing Directors.*—(1) Where the Government has subscribed to the share capital of a co-operative society to the extent of rupees five lakhs or more, the Government may, notwithstanding anything contained in the bye-laws of the society, nominate another member in addition to those nominated under section 35 and appoint him as Managing Director:

Provided that no person shall be appointed as Managing Director of a co-operative society unless he is a member of the Indian Administrative Service or Himachal Pradesh Administrative Service or Class-I Officer of the Co-operative Department, except the Himachal Pradesh State Co-operative Land Development Bank and the Himachal Pradesh State Co-operative Milk Federation

where technical persons may be appointed as Managing Directors.

- (2) A person nominated and appointed as the Managing Director under sub-section (1) shall be *ex-officio* member of the committee and shall hold office during the pleasure of the State Government and shall have a right to participate in the deliberations of the committee and shall also have the right to vote.
- (3) The Managing Director appointed under sub-section (1) shall exercise such powers as are assigned to him under the bye-laws or delegated to him by the committee. He shall discharge all such functions, consistent with the bye-laws, as are assigned to him by the Government or the Registrar. He shall work under the superintendence and control of the committee.
- (4) The Managing Director of a co-operative society shall be its principal executive officer. All employees of the society shall function and perform their duties under his superintendence and control.
- (5) The Managing Director appointed under sub-section (1) shall be deemed to be on deputation with the society and his salary and allowances, as determined by the State Government, shall be paid from the funds of the society."

Amendment
of section
109.

5. After clause (o) of sub-section (2) of section 109 of the principal Act, the following new clause (oo) shall be inserted, namely:—

"(oo) the qualifications, experience and the manner of nomination of members on the committees of societies under section 35;"

शिमला-2, 20 सितम्बर, 1986

क्रमांक एल 0 एल 0 आर 0 (डी) (6) 15/86-लैजिस.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 200 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के संविधान के अधीन तारीख 18 सितम्बर, 1986 को अनुमोदित हिमाचल प्रदेश म्युनिसिपल कार्पोरेशन (अमैडमेण्ट) विधेयक, 1986 (1986 का 14) को वर्ष 1986 के हिमाचल प्रदेश अधिनियम संख्यांक 21 के रूप में हिमाचल प्रदेश राजपत्र में प्रकाशित करते हैं।

आदेश द्वारा,
कुलदीप चन्द सूद,
सचिव (विधि)।

Act No. 21 of 1986.

**THE HIMACHAL PRADESH MUNICIPAL CORPORATION
(AMENDMENT) ACT, 1986**

(AS ASSESED TO BY THE GOVERNOR ON 18TH SEPTEMBER, 1986)

AN

ACT

further to amend the Himachal Pradesh Municipal Corporation Act, 1979 (Act No. 9 of 1980).

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Thirty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh Municipal Corporation (Amendment) Act, 1986.

Short title
and
commence-
ment.

(2) Section 2 and section 4 of this Act shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 17th day of July, 1986.

9 of 1980,

2. The existing proviso to sub-section (5) of section 5 of the Himachal Pradesh Municipal Corporation Act, 1979 (hereinafter called the principal Act) shall be omitted.

Amendment
of section
5.

3. For section 6 of the principal Act, the following section, along with its heading, shall be substituted, namely:—

Substitution
of section
6.

“6. *Special representation to women and others.*—(1) If no woman has been elected to a Corporation or only one woman is elected, the Government shall nominate two women or such number of women as fall short of two from amongst the weaker sections of the society who is or are otherwise qualified to be elected as councillor(s) of the Corporation.

(2) The Government shall nominate three persons to a Corporation, who are otherwise qualified to be elected as councillors of the Corporation, having special knowledge or practical experience in respect of such matters as the following, namely:—

architecture, education, engineering, environmental conservation, law, medical science, administration, trade or commerce, tourism and social service;

Provided that the councillors nominated under this sub-section shall not be entitled to vote at, but shall, subject to the other provisions of this Act, have the right to speak in and otherwise take part in the proceedings of any meetings of the Corporation or its committees of which he may be a member.

(3) Whenever a casual vacancy occurs in the office of the nominated councillor, fresh nomination shall be made within a period of thirty days of the occurrence of the vacancy."

Amendment
of section
37.

4. In section 37 of the principal Act,—

(a) for existing sub-section (1), the following sub-section (1), shall be substituted, namely:—

"(1) The Corporation shall, in the prescribed manner, elect one of its elected members to be the mayor and another elected member to be the deputy mayor of the Corporation."; and

(b) for the words "one of its members" occurring in sub-section (3), the words "one of its elected members" shall be substituted.

Amendment
of section
41.

5. In section 41 of the principal Act,—

(a) for the words "the two deputy mayors" occurring in sub-section (4), the words "the deputy mayor" shall be substituted; and

(b) for sub-section (5), the following sub-section (5) shall be substituted, namely:—

"(5) Each Committee shall elect one of its elected members as the chairman and another elected member as the vice-chairman."

Validation.

6. Notwithstanding anything to the contrary contained in the principal Act, any right of vote exercised before the commencement of this section by any councillor, nominated under sub-section (2) of section 6 of the said Act, in the meetings of the Corporation or its Committees, shall and shall always be deemed to have been validly and lawfully exercised.

Repeal and
savings.

7. (1) The Himachal Pradesh Municipal Corporation (Amendment) Ordinance, 1986 is hereby repealed.

2 of 1986.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act, as if this Act had come into force on the day on which such thing was done or such action was taken.